



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/575,172	05/23/2000	Paul Lapstun	NPX008US	9245

24011 7590 12/03/2002

SILVERBROOK RESEARCH PTY LTD
393 DARLING STREET
BALMAIN, 2041
AUSTRALIA

EXAMINER

ABDULSELAM, ABBAS I

ART UNIT PAPER NUMBER

2674

DATE MAILED: 12/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

11

Office Action Summary

Application No.

09/575,172

Applicant(s)

LAPSTUN ET AL.

Examiner

Abbas I Abdulsalam

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-126 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-126 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2674

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-126 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1-126 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ward et al. (USPN 5491495) in view of Jaeger et al. (USPN 6326956).

Regarding claims 1, 29, 37, 57 and 90, Ward teaches a computer system with which a user interacts by use of a writing stylus or other pointing device. Ward teaches a notebook computer (10) including digitizing tablet and display (12), stylus (14), and part of tablet area (16a, 16b, 16c, 16d) which is responsive to stylus touch. See col. 4, lines 16-29 and Fig 1. In addition, Ward teaches an interface (36), ink plane buffer (42), mask plane buffer (44), and interface processor (32) with its associated software. Ward also teaches program code initialization diagnostics and data transfer in connection with a software downloaded into interface memory. See col. 5, lines 49-56, col. 4, lines 47-56 and Fig. 2. Furthermore, Ward teaches a multi-code sequence and its

Art Unit: 2674

corresponding software in connection with a movement of data. See col. 19, lines 33-37. Ward teaches a recognition algorithm which recognizes data including description of strokes, their position within the character box, and identification of the character set. See col. 19, lines 55-62. Moreover, Ward teaches a software running as a simulated device program (220) which processes data from the tablet (12b) and generates data in the form of keystrokes. See Fig 11 and col. 30, lines 26-44. However, Ward does not teach the interface surface which includes coded data indicative of a drawing field or indicative of an identity of an interface surface. Jaeger on the other hand teaches a display screen (13) which displays a circular line pattern (39) at image display area (22) that enable tracking of angular movement of the stylus (12). See Fig 2, Fig 4 and col. 5, lines 49-63. In addition, Jaeger teaches position determination with respect to transmissive windows in drum (146) helping the creation of quadrature codes. See Fig 32 and col. 14, lines 56-61

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify Ward's user-pointing device system to include Jaeger's method of tracking angular movement of the stylus and generation of codes. One would have been motivated in view of the suggestion in Jaeger that tracking angular movement along with generation of codes equivalently provides the desired coded data indicative of the identity of an interface surface. The use of a method to track an angular movement helps function a stylus of a control device as taught by Jaeger.

Regarding claims 2, 30, 66-69 and 100-102, Ward teaches a movement of the stylus while touching the tablet within the motion area and a result generating a movement of data.

Art Unit: 2674

Regarding claims 3, 31, 103, Ward teaches application programs suited for stylus base input.

Regarding claims 4 and 32, see Ward's Fig 2.

Regarding claims 5-6, 26-27, 33-34, 54-55, 86-89, 58-59, 91-93 and 118-126, Ward teaches multi code sequence as well as a low level software, a part of an interface processor. Ward teaches transporting of data as keystroke data, mouse data, or tablet data depending on the identification of the data.

Regarding claims 7-8 28, 35-36, 56 ,70-71, 84-85 and 104-105, Ward teaches stylus position in terms of conversion from absolute motion to relative motion.

Regarding claims, 10, 22-23, 38, 60-65 and 94-99, Ward teaches the result recognition process which can be displayed in the area where the characters are.

Regarding claims 11, 39, 72-75 and 106, Ward teaches about a service in terms of various speeds of the interface processor, and also teaches "PROX" which is used to identify the stylus within the range of tablet.

Regarding claims 12-15, 40-43, 76 and 107-110, Ward teaches movement of the stylus with respect to tablet & motion areas. Ward also teaches digitizing tablet area with respect to (X, Y) locations and cumulative moving of data as a single one inch movement. In addition, Ward teaches the computation of distance with respect to timing.

Regarding claims 16, 44, 77-79 and 111, Ward teaches and writing recognition input device handling multiple lines.

Art Unit: 2674

Regarding claims 17, 45 and 112-113, Ward teaches the stylus which start on the object, may or may not be trackable in terms of its the position.

Regarding claims 18, 46, 80-83 and 114, Ward teaches tracking of the motion of the stylus.

Regarding claims 19-21, 47-49 and 115-117, Ward teaches the use of a variety of stylus.

Regarding claims 24-25 and 52-53, Ward teaches the use of memory to be used by interface processor for programs and data storage. Ward also teaches the four memory maps showing how the ink and the mask data is stores.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 2674

4. Any inquiry concerning this communication or earlier communication from the examiner should be directed to **Abbas Abdulsalam** whose telephone number is **(703) 305-8591**. The examiner can normally be reached on Monday through Friday (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard Hjerpe**, can be reached at **(703) 305-4709**.

Any response to this action should be mailed to:

Commissioner of patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314

Hand delivered responses should be brought to crustal park II, Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology center 2600 customer Service office whose telephone number is (703) 306-0377.



RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

Abbas Abdulsalam

Examiner

Art Unit 2674